

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:13 CR 535
)	
Plaintiff,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
TYRONE LYNCH,)	
)	
Defendants.)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>

This case is before the Court on Mr. Lynch's Amended Motion for Relief Under 28 U.S.C. §2255, seeking a vacation of his sentence on the basis of *Johnson v. United States*, 135 S.Ct. 2551 (2015). (ECF #71). The government agrees that vacatur of his sentence under the Armed Career Criminal Act and re-sentencing are appropriate in this case in light of the United States Supreme Court's holding in *Johnson*. (ECF #72). Therefore, Mr. Lynch's motion for Relief is granted on these grounds. A re-sentencing date will be set after consultation with the parties. IT IS SO ORDERED.

Date: November 22, 2015


Donald C. Nugent
United States District Judge